

REMARKS

Applicants reply within two months to the final Office Action dated July 22, 2010. Claims 1-17, 19 and 20 are pending in the application and the Examiner rejects claims 1-17, 19 and 20. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter is entered with these amendments. Applicants assert that the application is in condition for allowance and reconsideration of the pending claims is requested.

§103 Rejections

The Examiner rejects claims 1-7, 9-12, 14-15, 19, and 20 under 35 U.S.C. §103(a) as being unpatentable over Seidman et al., U.S. Patent No. 6,671,358 (“Seidman”) in view of Perron et al., U.S. Publication No. 2002/0047049 (“Perron”), and further in view of Atalla, U.S. Patent No. 4,268,715 (“Atalla”). Furthermore, the Examiner rejects claims 8 and 13 under 35 U.S.C. §103(a) as being unpatentable over Seidman, in view of Perron, in further view of Atalla, and in further view of Official Notice. The Examiner rejects claim 16 under 35 U.S.C. §102(e) as being anticipated by Johnson, Jr., U.S. Patent No. 6,185,307 (“Johnson”).¹ The Examiner rejects claim 17 under 35 U.S.C. §103(a) as being unpatentable over Perron, in view of Atalla, and further in view of Mori et al., U.S. Patent No. 6,085,168 (“Mori”). Applicants respectfully disagree with the rejections, but Applicants amend the claims in order to clarify the patentable subject matter.

The Examiner asserts that Atalla discloses the element of “wherein the transaction device random number is used to lookup a previously stored decryption key for decrypting at one of the transaction device identifier and the transaction device authentication tag.” For support, the Examiner cites the decryption module of Atalla that decrypts an encrypted message sent by a user device using a transmitted random number. (Office Action, p. 4-5). Applicants disagree and contend the Examiner is implying the use of the random number lookup into the disclosure of Atalla. Specifically, Atalla discloses that “[t]his encrypted message is then transmitted from user station 73 to processing station 75 where decryption module 69 (matching encoding module 67) decrypts or decodes the encrypted 25 message in accordance with KEY₁ which is accessed from the file 65 where it was originally entered during the initialization operation previously described.” (Atalla, col. 5, ln. 22-28). In other words, KEY₁ is accessed from the file, but Atalla

¹ Applicant assumes the Examiner intended to reject claim 16 under 35 U.S.C. §103(a), and as such the rejection will be addressed under this section.

does not state that the random number was used to look up KEY₁. **Applicants assert that the use of the random number is in the creation of KEY₁, but not the lookup of KEY₁.** In addition, none of the other cited references disclose this element.

Thus, none of the cited references whether taken individually or in combination, disclose or contemplate at least “wherein the transaction device random number is used to lookup a previously stored decryption key for decrypting at least one of the transaction device identifier and the transaction device authentication tag, the transaction device random number having been received from the RFID transaction device,” as recited in independent claim 1, and as similarly recited in independent claims 15 and 17.

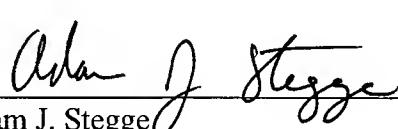
Claims 2-14, 16, 19 and 20 variously depend from independent claims 1, 15, and 17, therefore dependent claims 2-14, 16, 19 and 20 are differentiated from the cited references for at least the same reasons as set forth above, as well as in view of their own respective features.

When a phrase similar to “at least one of A, B, or C” or “at least one of A, B, and C” is used in the claims or specification, Applicant intends the phrase to mean any of the following: (1) at least one of A; (2) at least one of B; (3) at least one of C; (4) at least one of A and at least one of B; (5) at least one of B and at least one of C; (6) at least one of A and at least one of C; or (7) at least one of A, at least one of B, and at least one of C.

In view of the above remarks, Applicants respectfully request withdrawal of all rejections of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. The Commissioner is authorized to charge any fees due to Deposit Account No. 19-2814.

Respectfully submitted,

Dated: Sept. 21, 2010



Adam J. Stegge
Reg. No. 63,297

SNELL & WILMER L.L.P.
400 E. Van Buren
One Arizona Center
Phoenix, Arizona 85004
Phone: 602-382-6306
Fax: 602-382-6070
Email: astegge@swlaw.com